Receipt date: 09/25/2006

### IAP16 Rec'd PCT/PTO 2594EP 2006U: 3751 101594082

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: KLOCKE 3

In re Application of: Carsten KLOCKE et al.

Conf. No.:

IA No: PCT/DE2004/001093

Art Unit: Examiner:

IA Filed: May 26, 2004

Washington, D.C.

Appln. No.: Not yet assigned

September 25, 2006

For: PACKAGING COMPRISING AN APPLICATOR FOR APPLYING ...

#### INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop Amendment 401 Dulany Street Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the aboveidentified application, and any other application relying on the filing date of the above-identified application or crossreferencing it as a related application.

- [X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:
- [X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
  - [ ] B. before the mailing date of a first office action on the merits or before the mailing of a first Office

action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

- [ ] C. after (A) and (B) above, but before final rejection or allowance, and Applicant has made the necessary certification (box "i" below) or paid the necessary fee (box "i" below):
  - [ ] i. Counsel certifies that, upon information and belief, each item of information listed herein either was
    - [] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
    - [] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.
  - [] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.
- [ ] D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant states as follows under 37 CFR \$1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein either was
  - [ ] (a) first cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this IDS: or

 (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR \$1.56(c) more than three months prior to the filing of this IDS.

Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.

[X] 2. In accordance with 37 CFR \$1.98, this IDS includes a list (e.g., form BN/SB/O8A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR \$1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

[ ]	A. Docu	ment(s)			is/are	deeme	d
substantially	cumulat	ive to d	ocument (s	s)			and
in accordance	with 37	CFR §1.	98(c), a	copy of	each of	the	
former documen	t(s) is	not enc	losed.				

[ ] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)
Applicant identifies these documents by attaching hereto copies
of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b
(or their BN form equivalents) from the files of the prior
application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing
these documents, and request that they be considered and made

of record in accordance with 37 CFR §1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this application. [X] 3. Document(s) is/are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states: [X] An English translation of each document AF (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed. [ ] For documents \_\_\_\_\_, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document. [X] A concise explanation of the relevance of document(s) AC-AE is found in the attached International search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20). [ ] A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows: [ ] A concise explanation of the relevance of document(s) \_\_\_\_ can be found on page(s) of the specification. [ ] A concise explanation of the relevance of

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

attached sheet.

document(s) can be found on the

[ ] 5. Other information being provided for the examiner's consideration follows:

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6. In accordance with 37 CFR §\$1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK Attorneys for Applicant(s)

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## IAP16 Rec'd PCT/PTO 0354 6EP 2006: 3751

Substitute for form 14	substitute for form 1449A/PTO		Complete if Known		
Substitute for form 14	43/0/ 10		Application Number	Not yet assigned	
INFORMA'	TION DISC	LOSURE	Filing Date	September 25, 2006	
STATEME	NT RY AP	PLICANT	First Named Inventor	Carsten KLOCKE et al	
SIAILINE			Group Art Unit		
(use as	many sheets as n	ecessary)	Examiner Name		
Sheet 1	of	2	Attorney Docket Number	KLOCKE 3	

U.S. PATENT DOCUMENTS							
	Cite No.1	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where		
Examiner Initials*		Number-Kind Cade <sup>2 (# known)</sup>			Relevant Passages or Relevant Figures Appear		
	AA	US- 2,068,213	01-19-37	J.M. WILSON			
	AB	US- 2,283,463	05-19-42	R.C. RUPP			
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	FOREIGN PATENT DOCUMENTS							
Examiner	Cite No.1	Foreign Patent Number Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T°		
	AC	GB 2 084 455 A	04-15-82	AMERICAN CYANAMID CO				
	AD	DE 298 24 107 U	06-21-00	LATZKE RAINER MARIA				
	AE	DE 201 03 336 U	05-31-01	KLOCKE VERPACKUNGS SERVICE				
	AF	FR 2 831 840 A	05-09-03	TREVILLOT NICOLAS		_		
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Examiner Signature	/Ryan Vamum/	Date Considered	10/19/2009

<sup>\*</sup> EXAMINER: Initial if reference considered, whether or not clasion is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with not communication to applicant. \*Applicant's unique actions designation number (optically.) \*See Kind Codes of USPTO Parent Documents in <u>Awaysiation or Well PP 010.4.\*</u> \*First Citice that issued the document, by the two-lenter code (WPP) 30 standed 57.3. \*Japanese patient documents, the indication of the year of the reign of the Empater must precede the sterial number of the patient document. \*Mind of documents in the Symbols as incidence on the document union VIVPO Standard 57.3. \*Japanese patient documents of the patient of the patient of the patient object to the patient of the patient of